



George E. Meyer, Secretary
William R. Selbig, District Director

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Lake Michigan District Headquarters
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RECEIVED
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August 17, 1995

AIR TOXICS AND RADIATION
BRANCH
U.S. EPA, REGION V

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dale Hanke, VP Operations
Red Arrow Products
1226 South Water Street
Manitowoc, WI 54221-1537

FID # 436036700

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Subject: Notice of Violation
Chapter 144, Wisconsin Statutes

Dear Mr. Hanke:

This letter formally notifies Red Arrow Products (the company) pursuant to section 144.423, Wisconsin Statutes, that the Department of Natural Resources (the Department) has reason to believe that the company is in violation of Wisconsin's air management laws. The Department believes that the following provisions of the Wisconsin Administrative Code have been violated at your 1226 South Water Street facility by operation of the sawdust dryer (DNR id# S01, P01):

Section NR 431.05, Wisconsin Administrative Code - Visible Emission limitations... No owner or operator of a direct source on which construction or modification is commenced after April 1, 1972 may cause or allow emissions of shade or density greater than number 1 of the Ringleman chart or 20% opacity.

Visual smoke readings by Department staff on the companies sawdust dryer emissions showed all 6-minute opacities exceeded 20% on at least two recent occasions. On July 13, 1995, the average opacity of 25 minutes of readings was 54%, and all 6-minute average opacities exceeded 43%. On July 23, 1995, the average opacity of 30 minutes of readings was 37%, and all 6-minute average opacities exceeded 35%. Operation of the dryer at these opacities is an apparent violation of s. NR 431.05, Wis. Adm. Code.

We are extending the opportunity for you to respond to this Notice with an explanation of any extenuating circumstances surrounding this situation, an update on the progress you have made to return this facility to compliance, and request the following information.

1. The number of trailer loads dried from July 12, 1995, to July 24, 1995, the quantity, type of wood, beginning and end moisture contents, supplier's name, percent fines, and average time to dry, for each load dried.

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Mr. Dale Hanke - August 17, 1995

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2. Since the dryer's high opacities are indicative of high particulate emissions, the Department requests the company perform a stack test for particulate as soon as possible on S01 P01. Please submit a **stack test plan** for this test, as specified in s. NR 439.07, Wis. Adm. Code. The test should be run at maximum capacity using sawdust from a vendor with a high percent of fines. Your stack test plan should describe how such a load will be provided.

Please respond in writing within 20 days of the date of receipt of this letter. Include in this response what actions you have taken or will take to achieve compliance with the violations noted herein.

It is important to note that according to the company's Title 5 Permit Application, your facility is classified as a major air source. As a major air source, any violation of a federally enforceable requirement classifies your facility as a Significant Violator. The national enforcement policy allows the Environmental Protection Agency to take the lead and begin federal enforcement action if the above cited violations are not resolved or referred to the Wisconsin Department of Justice by approximately January 19, 1996.

Please be advised that the Department is authorized to seek injunctive or other appropriate relief for violations of air pollution laws, including forfeitures of no more than \$ 25,000 per violation, pursuant to s. 144.426(1), Stats. Any person who intentionally commits an act that violates or fails to perform an act required by laws relating to air pollution may be fined not more than \$25,000 per day of violation or imprisoned for not more than 6 months or both, pursuant to s. 144.426(2), Stats. Each day of violation is considered a separate offense.

If you have any technical questions please contact Mr. James Crawford at 414/492-5794. If you have any other questions, please call me at 414/492-5841.

Sincerely,



Daniel R. Helf
Environmental Enforcement Coordinator

cc: Collin Duffy - AM/7
Tom Steidl - LC/5

Ms. Stephanie Valentine, USEPA Region 5, Air Toxics & Radiation Branch, AT-18J, 77 West Jackson
Boulevard, Chicago, IL 60604
Mike DeBrock / E. Ingwersen / James Crawford - LMD